

LINK:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No.	CV 15-03428-BRO (AJWx)	Date	February 16, 2016
Title	MIDLAND NATIONAL LIFE INSURANCE COMPANY V. BRADLEY H. SCHMIDT ET AL.		

Present: The Honorable	BEVERLY REID O’CONNELL, United States District Judge		
Renee A. Fisher	Not Present		N/A
Deputy Clerk	Court Reporter		Tape No.
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
Not Present	Not Present		

Proceedings: (IN CHAMBERS)

**ORDER TO SHOW CAUSE
RE: FAILURE TO OPPOSE**

Pending before the Court are two motions: (1) Defendant in Interpleader Karen G. Ireland’s Motion for Summary Judgment, (Dkt. No. 26 (hereinafter, “Motion for Summary Judgment”)); and, (2) Plaintiff in Interpleader Midland National Life Insurance Company’s Motion for Final Decree of Interpleader, (Dkt. No. 28 (hereinafter, “Midland’s Motion”). The Motion for Summary Judgment noticed a hearing date of February 29, 2016, and Midland’s Motion noticed a hearing date of February 22, 2016. (Dkt. Nos. 26, 28.)

Under the Central District’s Local Rules, a party must oppose a motion at least twenty-one (21) days prior to the scheduled hearing date. *See* C.D. Cal. L.R. 7-9. Thus, the oppositions to the Motion for Summary Judgment and Midland’s Motion were due February 8, 2016, and February 1, 2016, respectively. To date, no oppositions to the Motion for Summary Judgment or Midland’s Motion have been filed. Pursuant to Local Rule 7-12, the failure to file an opposition “may be deemed consent to the granting . . . of the motion.” *See* C.D. Cal. L.R. 7-12.

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Accordingly, all parties are **ORDERED TO SHOW CAUSE** as to why the Court should not grant Defendant in Interpleader’s Motion for Summary Judgment¹ and/or Midland’s Motion. The parties (individually or collectively) must file **one of the following on or before 4:00 p.m. on Friday, February 19, 2016**: (1) a response to this Order² explaining why the Court should not grant the motion(s) along with opposition(s) to the motion(s); (2) a stipulation to vacate the hearings currently scheduled for February 22 and 29, 2016; **or**, (3) a stipulation to withdraw both motions.

IT IS SO ORDERED.

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Initials of Preparer	rf

¹ The Court notes that a motion for summary judgment “may not be granted solely based on the failure to file an opposition.” C.D. Cal. L.R. 7-12.

² An appropriate response will include reasons demonstrating good cause for the party’s failure to timely oppose.